

The **Board of Examiners for Nursing** held a meeting on November 18, 2015 at the Legislative Office Building, Room 1-D, 300 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN – *left 3:30 PM*
Lisa S. Freeman, Public Member
Ellen M. Komar, RN – *left 4:30 PM*
Jennifer Long, APRN – *left at 3:05 PM*
Geraldine Marrocco, RN – *left at 12:40 PM*
Gina M. Reiners, RN – *left at 3:05 PM*
Carrie Simon, Public Member

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Alfreda G. Gaither, Legal Counsel to the Board, DPH
Antony Casagrande, General Counsel, DPH
Kathleen Boulware, Public Health Services Manager, DPH
Stephen Carragher, Public Health Services Manager, PLIS, DPH
Debra Brown, Health Program Supervisor, DPH
Pamela Pelletier-Stevens, Nurse Consultant, DPH
Helen Centeno, Nurse Consultant, DPH
Lavita Sookram, Nurse Consultant, DPH
Matthew Antonetti, Principal Attorney, OLRC, DPH
Brittany Allen, Staff Attorney, OLRC, DPH
Linda Fazzina, Staff Attorney, OLRC, DPH
Joelle Newton, Staff Attorney, OLRC, DPH
Leslie Scoville, Staff Attorney, OLRC, DPH
Diane Wilan, Staff Attorney, OLRC, DPH
Janice E. Wojick, Administrative Assistant, DPH
Sara Dickson, Quinnipiac University Law Intern, DPH
Gail Gregoriades, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:35 AM.

STUDENTS

Chair Bouffard welcomed students from Stone Academy – West Haven Campus, Lincoln Technical Institute – New Britain and Shelton Campuses, Porter and Chester - Branford Campus, UConn, Western CT State University, Southern CT State University, and the University of Saint Joseph's CT.

CHAIR UPDATES

Chair Bouffard is deferring this discussion to the National Council of State Boards of Nursing updates.

OPEN FORUM

No questions or concerns from the audience.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Continuance request was granted to Leslie Matejek, RN

The Board will revise today's agenda to hear the Department's request regarding a reinstatement applicant.

REINSTATEMENT APPLICANT

Stephen Carragher and Debra Brown were present from the Department to receive the Board's input on a reinstatement request for Cynthia Cloney received at the Department. The Respondent was not present for this discussion. After discussion and review of the documentation presented to the Board, Mary Brown moved that the Respondent successfully complete a Board approved refresher program which contains an on-hands clinical component. The clinical must be in person and not virtual, Respondent must successfully complete coursework in Ethics, and successfully complete the NCLEX-RN exam as she has been out of the practice of nursing for eleven years. The motion was seconded by Ellen Komar and passed unanimously.

The Board stated that their responsibility is safety for the citizens of Connecticut.

2015 LEGISLATIVE UPDATE

Kathleen Boulware apprised the Board that there was nothing new to report.

SCHOOL ISSUES – FAIRFIELD UNIVERSITY – PERMANENT WAIVER REQUEST

Pamela Pelletier-Stevens updated the Board on this permanent waiver request. Dr. Meredith Kazer was present from the school to request a permanent waiver for Susan B. Reynolds. Gina Reiners moved and Geraldine Marrocco seconded that Ms. Reynolds does meet the criteria to be granted a permanent waiver as specified in the Nursing School Regulations for instruction in Pediatrics only. The motion passed with Chair Bouffard opposing.

SCHOOL ISSUES – FAIRFIELD UNIVERSITY – APPOINTMENT OF PERMANENT DEAN

At the Board's June 16, 2015 meeting, the Board unanimously approved Dr. Meredith Kazer as Dean of the School of Nursing for a two year term. On September 14, 2015 Fairfield University appointed Dr. Meredith Kazer as the permanent Dean of the Marion Peckham Egan School of Nursing and Health Studies. Mary Brown moved to remove the two year interim appointment and to affirm that Dr. Kazer does meet the criteria outlined in the Nursing School Regulations for the position of permanent Dean of the nursing program. The motion was seconded by Geraldine Marrocco and passed unanimously. The Board congratulated Dr. Kazer on her permanent appointment and wished her well in this endeavor.

Alfreda Gaither arrived at this time.

SCHOOL ISSUES – CT COMMUNITY COLLEGES – FIVE YEAR STUDY

Present with Linda Perfetto, Director of System Nursing Curriculum Operations for the Connecticut Community College Nursing Program (CCCN), were Dr. Cynthia Adams, Director, Capital Community College, Dr. Eileen George, Director, Naugatuck Valley Community College, Edith Ouellet, Interim Director, Three Rivers Community College, Suzanne Conlon, Director, Gateway Community College, and Constance Hotchkiss, Director, Northwestern CT Community College. Chair Bouffard recused herself from this discussion and voting as she felt there was a conflict of interest due to her position at Northwestern CT Community College. Chair Bouffard turned the meeting over to Jennifer Long as Chair Pro Tem and left the room until the discussion and voting were complete.

Pamela Pelletier-Stevens reviewed each criterion with the Board and the program.

Mary Brown moved to accept the five-year study for the Connecticut Community College System as they have met all the regulatory requirements as outlined in Criteria 1 through 17 of the Nursing Education Program Review for Registered Nurses Preparatory Program. The motion was seconded by Geraldine Marrocco and passed with all in favor with the exception of Chair Bouffard who recused herself. The Board stated that the report was extremely unorganized, there were no tabs, the appendices were not identified correctly although the school administrator's books were all tabbed. The Board requested that the programs keep this in mind for their next review which will be in November 2020.

Due to the fact that the voting had completed on the Community College Five-Year Study, Patricia C. Bouffard was invited back into the room and resumed her position as Chair.

SCHOOL ISSUES – UNIVERSITY OF BRIDGEPORT – INITIAL STUDY, SITE VISIT

Pamela Pelletier-Stevens, Helen Centeno, and Patricia Santoro of the Office Higher Education, visited the University of Bridgeport School of Nursing on November 10, 2015. CCNE has accepted the application for initial accreditation although no date has been scheduled for the site visit which will occur possibly in the fall of 2016. The program has received NEASC approval through 2024, with a five year interim report due in the fall of 2019. The AACN granted membership effective July 24, 2015. The Board approved the program's Feasibility Study on January 25, 2014 and the Department of Higher Education approval is pending. Steven Healey, PhD, Provost, and Dr. Carol Papp, Dean of the School of Nursing, were both present for this discussion and review. After review of the documentation presented, Gina Reiners moved to approve the initial study and site visit. The motion was seconded by Mary Brown and passed unanimously. The Board offered its congratulations to the new program.

SCHOOL ISSUES – BRIDGEPORT HOSPITAL SCHOOL OF NURSING – CLOSURE UPDATE

Pamela Pelletier-Stevens apprised the Board that the Board Office received a letter from the Bridgeport Hospital School of Nursing notifying the Board of a change in the date of closure which will now occur in May of 2017 rather than May of 2018.

Dr. Carol Papp thanked the Board for all of their support during this transition and Dr. Healey thanked Dr. Papp for her dedication to this new endeavor.

SCHOOL ISSUES – LINCOLN TECHNICAL INSTITUTE - STAFF CHANGES

Pamela Pelletier-Stevens apprised the Board that a letter of notification was received in the Board Office stating that Patricia DeLucia has been promoted to Corporate Dean of Nursing for Lincoln Technical Institute (LTI) replacing Jo-Ann Dean.

Dr. Rose Marie Baker was present requesting her approval as the Regional Director of Nursing. Dr. Baker will remain the Director of Nursing for the Shelton Campus as well. Lisa Freeman moved to approve Dr. Baker as the Regional Director of Nursing for LTI. The motion was seconded by Mary Brown and passed unanimously.

Dr. Baker was also present to request that Louise Simonetti be approved as Interim Director of the New Britain Campus until a Permanent Director be appointed. Lisa Freeman moved that Ms. Simonetti be approved as the Interim Director. The motion was seconded by Jennifer Long and passed unanimously.

The Board offered their congratulations to Dr. Baker and to Patricia DeLucia on their new endeavors.

SCHOOL ISSUES – VINAL TECH UPDATE

The Vinal Technical LPN School Program Closure Hearing will be held on January 20, 2016. Chair Bouffard signed the Notice of Hearing.

CORRESPONDENCE AND STATISTICS ON INQUIRIES – SEPTEMBER - OCTOBER

Pamela Pelletier-Stevens provided a brief summary of the calls received in the Board Office.

SCOPE OF PRACTICE – DNR ORDERS

Pamela Pelletier-Stevens apprised the Board that currently in CT, APRN's cannot write DNR orders per Section 19a-580d-1. The Facility Licensing and Investigation Section is seeking a statutory change to allow APRN's to write this order.

NCSBN UPDATE

Chair Bouffard updated the Board on the Nurse Licensure Compact (NLC) and the first edition of the Compact Connection. The goal of the Compact Connection is to provide NCSBN Members with a twice-monthly status of Compact advocacy. Chair Bouffard updated the Board on available resources.

In the near future there will be an official launch of the enhanced LPN campaign with a new logo and branding and an enhanced LPN campaign website.

On October 19, 2015 the Wyoming BOEN presented the enhanced LPN and APRN Compact to their Labor Health Committee. Both bills passed out of the committee and will move forward as "Committee" bills next session.

The New Jersey Nursing Association is carrying the enhanced LPN to the New Jersey Legislature. The enhanced NLC language is currently in committee.

Over the past month Jim Puente, Director, NLC, NCSNM, and Haley Streibich, Coordinator, NLC, NCSBN, presented the enhanced LPN at the Southern Ohio Valley Case Management Society of America, the National Student Nurses Association (NSNA) midyear convention and the Nursing Management Congress Annual Conference.

On November 12, 2015 Elliott Vice, Director, Government Affairs, NCSBN, spoke on a webinar about the enhanced LNC and the APRN Company to the TeleNurse Network.

Also on November 12th, Vice presented the compacts on a webinar for Telehealth and a Health Law during a session entitled, "Nurses Advancing Employer-based Telemedicine."

The enhanced NLC will be heard in state legislative committee hearings in Massachusetts on November 17th, and in Florida on November 30th. Rebecca Fotsch, State Advocacy Associate, Nursing Regulation, NCSBN, and LPN Attorney Rick Masters will be testifying at the hearings. On November 12th, Puente and Fotsch met with legislators from Massachusetts to educate them on the NLC in advance of the November 17th committee hearing.

In October 2015 Board Member Geraldine Marrocco attended a meeting at the NCSBN in Chicago as she is a member of the APRN Education Committee. The purpose of this meeting was to explore the pros and cons of Member Board oversight of APRN education programs, and to make recommendations to the Board of Directors. The meeting began with introductions and they reviewed committee charge, dashboard, and team charter. Everyone was oriented to the HIVE, the web site for sharing information.

The following topics were addressed:

- Discussed the 2015 APRN Distance Education (DE) committee work and the events that transpired at the annual meeting
- Reviewed the pros and cons of BON oversight of APRN programs
- Reviewed the NCSBN APRN education rules
- Reviewed two PowerPoint presentations – APRN DE committee presentation from the 2015 annual meeting and the APRN DE survey results
- Developed and refined a five-item survey for EOs. Will plan to send via email. Non-responders will be contacted directly by committee members
- Identified BONs that do and do not approve APRN programs (preliminary review). Will create a master sheet to refer to. Compare this master to our survey results
- Create a grid from the information received from the survey and the documents the committee already have access to (state information, BON information, etc.). Post this on the NCSBN website as a reference for all of our members
- Discussed NCSBN approval of programs
- Considered separating out clinical and didactic pieces of BON approval

The following are issues to consider as we move forward:

- Resistance to change. Boards that do or do not approve programs “have always done it this way.” Will there be resistance because this is “someone’s job” on the board or because they have “no one” to do the job?
- How will this effect APRN consensus/compact?
- How many real “misses” are there (we need more data)?
- Approval for programs for nurses versus other health professions.
- Can we make a dashboard of what the accrediting agencies collect for information?
- Does approval or no approval affect outcomes?
- The APRN consensus model and NCSBN rules/recommendations are different.
- Remember that we are all similar, we are involved in nursing regulation and thus inherently feel the need to regulate, need to avoid regulation for the sake of regulation or do we have evidence/outcomes measures that suggest this regulation is needed.
- We are being asked to provide the PROS and CONS of oversight, not a consensus or opinion on whether we feel there should or should not be oversight.

APRN program approval (preliminary data – needs to be vetted):

States with approval process: AZ, AR, CA, GA, ID, IO, KS, KY, LA, MN, MS, NC, ND, OR, PA, TN, VT, WA, WV (19).

States without process for APRN program approval: AL, CT, CO, DE, DC, FL, GU, HI, IL, IN, MI, MA, ME, MD, MO, MT, NM, NH, NY, NE, NV, OH, OK, RI, SC, SD, TX, UT, VA, WI, WY (29).

MOTION FOR SUMMARY SUSPENSION – DEBRA SCHULER-BLANCHETTE, LPN

OLRC Staff Attorney Leslie Scoville presented the Board with a Motion for Summary Suspension for Debra Schuler-Blanchette. Ms. Schuler-Blanchette was not present and did not have representation at this meeting.

Ellen Komar moved to grant the Department’s Motion for Summary Suspension. The motion was seconded by Gina Reiners and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing.

MOTION FOR SUMMARY SUSPENSION – KATHRYN A. JAWORSKI, LPN

OLRC Staff Attorney Leslie Scoville presented the Board with a Motion for Summary Suspension for Kathryn A. Jaworski. Ms. Jaworski was not present and did not have representation at this meeting.

Carrie Simon moved to grant the Department's Motion for Summary Suspension. The motion was seconded by Lisa Freeman and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing.

MOTION FOR SUMMARY SUSPENSION – LORI KAREN SALUPEN, RN

OLRC Staff Attorney Leslie Scoville presented the Board with a Motion for Summary Suspension for Lori Karen Salupen. Ms. Salupen was not present and did not have representation at this meeting.

Lisa Freeman moved to grant the Department's Motion for Summary Suspension. The motion was seconded by Carrie Simon and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing.

MOTION FOR SUMMARY SUSPENSION – MICHELLE A. MURPHY, RN

OLRC Staff Attorney Brittany Allen presented the Board with a Motion for Summary Suspension for Michelle A. Murphy. Ms. Murphy was not present and did not have representation at this meeting.

Geraldine Marrocco moved to grant the Department's Motion for Summary Suspension. The motion was seconded by Gina Reiners and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing.

MOTION FOR SUMMARY SUSPENSION – SHAWNA HARTLE, RN

OLRC Staff Attorney Joelle Newton presented the Board with a Motion for Summary Suspension for Shawna Hartle. Ms. Hartle was not present and did not have representation at this meeting.

Ellen Komar moved to grant the Department's Motion for Summary Suspension. The motion was seconded by Carrie Simon and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing.

Break 10:50 AM – 11:12 AM

PREHEARING REVIEW – ANNE D. LeBLANC, LPN

OLRC Staff Attorney Diane Wilan presented the Board with a Prehearing Review of Anne D. LeBlanc. Ms. LeBlanc was not present and did not have representation at this meeting. It was the recommendation of the Board that this truly is a systems issue and it does not rise to the level of Board action.

PREHEARING REVIEW – JACINDA WINTROW, RN

OLRC Staff Attorney Diane Wilan presented the Board with a Prehearing Review of Jacinda Wintrow. Ms. Wintrow was not present and did not have representation at this meeting. It was the recommendation of the Board that this case does not rise to the level of Board action as this truly is a facility systems issue.

MEMORANDA OF DECISION

The Board reviewed the following decisions.

ANDREA BUNNELL, LPN

Gina Reiners moved to affirm the Board's prior decision to revoke Ms. Bunnell's license. The motion was seconded by Lisa Freeman and passed unanimously. Chair Bouffard signed the Order.

DENISE LaBONTE, RN

Jennifer Long moved to affirm the Board's prior decision to revoke Ms. LaBonte's license. The motion was seconded by Lisa Freeman and passed unanimously. Chair Bouffard signed the Order.

HEARING – LOURDES MERCADO, LPN

OLRC Staff Attorney Brittany Allen was present representing the Department of Public Health. Ms. Mercado was present pro se. Ms. Mercado asked the Board if she could have a continuance in order to seek counsel. Ellen Komar moved to grant Ms. Mercado's request for a continuance. The motion was seconded by Mary Brown and passed unanimously. The hearing was continued to March 23, 2016 at 9:00 AM at the Department of Public Health Complex.

HEARING – ALYCIA K. WITZMANN, RN

OLRC Staff Attorney Joelle Newton was present representing the Department of Public Health. Ms. Witzman was not present and did not have representation at this hearing. On behalf of the Department, Attorney Newton made an Oral Motion to Deem Allegations Admitted. Ellen Komar moved to grant Attorney Newton's Motion to Deem Allegations Admitted. The motion was seconded by Geraldine Marrocco and passed unanimously. There was no testimony provided.

Ellen Komar moved and Mary Brown seconded that Ms. Witzmann be found as charged as the Board granted the Department's Motion to Deem Allegations Admitted. The motion passed unanimously.

Ellen Komar moved that Ms. Witzmann's license be revoked as she did not bother to attend today's hearing to present her side of the case and she did not file an Answer to the Statement of Charges. The Board made their decision based on the documents presented by the Department. The motion was seconded by Lisa Freeman and passed unanimously.

Due to time constraints, the Erin Arndt, RN Hearing and the Jasmine Rivera Gonzalez RN Hearings were continued to April 20, 2016.

HEARING – JUDY RUGGIERO, RN

OLRC Staff Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Ruggiero was present with counsel, Attorney Mary Alice Moore Leonhardt and her Associate, Craigin Howland. Testimony was provided by Lavita Sookram, DPH Monitoring Unit. The Board recessed for lunch at 1:28 PM and returned to the hearing at 2:15 PM. Nigel Barnes, RN, previously employed as a supervisor by Orange Health Care, and Michael Fiore, Administrator at Astoria Park. At 3:30 PM, during Mr. Fiore's testimony, the Board lost its quorum for the day. The Board adjourned the hearing at 4:45 PM. The hearing will be rescheduled for February 17, 2016 as the first hearing after the summary hearings. Chair Bouffard commented that the Department's Exhibits came in piece meal and in moving forward, the Board would appreciate it if the exhibits came in together in a more organized fashion.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 5:00 PM.

Patricia C. Bouffard, D.N.Sc., Chair
Board of Examiners for Nursing